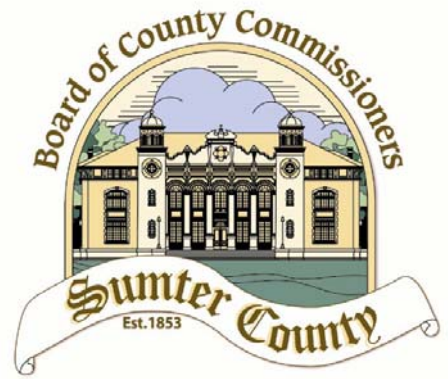


Board of County Commissioners

Division of Planning & Development

Code Compliance Department

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CODE ENFORCEMENT BOARD

May 9, 2005

The regular meeting of the Code Enforcement Board of Sumter County, Florida was called to order on Monday, May 9, 2005 at 6:00 P.M. followed by the Pledge of Allegiance.

The following Board members were present: Horton Barnes-Chairperson, Charles Castle, Cheryl Barnes, Tommy Messer, Drexel Clark, Dixie Ruzzo, and Terry Pasko.

Present from the Code Compliance staff were Paul Jochum-Code Compliance Manager and Alysia Akins-Code Enforcement Board Secretary.

Terry Neal, Attorney for the Sumter County Code Compliance Inspectors, was present.
Randall Thornton, Attorney for the Code Enforcement Board, was absent.

Mr. Barnes introduced new member, Dixie Ruzzo.

Mr. Messer made a motion to approve the minutes from the April 11, 2005 meeting with the requested change to Mr. Castle voting in favor of all cases. Mrs. Barnes seconded the motion and the motion carried.

Mr. Jochum was sworn in. John Hezlep, Sumter County Animal Control, was also sworn in.

Old Business:

The following cases were issued an affidavit of compliance:

CE2004-0267/Oliver

CE2004-0235/Leatherman

CE2004-0369/Kelly

New Business:

The following cases were issued an affidavit of compliance:

CC2002-41/Rodriguez

CE2004-0438/Clark-Robinson

File: CE2004-0192/Bartlett – CE2005-0246/Lane

911 Address: 8387 CR 614A/Bushnell – 8471 CR 614A/Bushnell

Parcel: N30=040/N30=081/OR – 1171, PG – 418/OR – 1223, PG - 548

SCCV: 6-104(2) and 13-E 312 SHC 307.4

The Respondents, Gerald Bartlett and Debra Lane, were present and sworn in. Mr. Jochum testified the Notice for Hearing had been sent by certified mail and the properties had been posted on 4/28/05. Mr. Jochum testified 5/9/05 had been his last visit to the properties and found them not in compliance.

Mr. Jochum submitted photographs taken on 4/28/05 and 5/9/05 into the record reflecting the violations. Mr. Jochum testified progress was being made.

Mr. Castle made a motion to allow the Respondents 60 days to remove all trash, litter, and debris from the properties, or a fine of \$50 per day would be assessed for each and every day of non-compliance. Mr. Clark seconded the motion and the motion carried.

File: CE2004-0386/Dupont

911 Address: 11464 CR 675/Webster

Parcel: R12C001/OR – 920, PG - 139

SCCV: 6-104(2) and 13 E - 312 SHC 307.4

The Respondents were not present. Mr. Jochum testified the Notice for Hearing had been sent by certified mail. Mr. Jochum testified 5/9/05 had been his last visit to the property. Mr. Jochum submitted photographs into the record that had been taken on 7/20/04, 8/2/04, 12/04, 4/19/05, and 5/9/05 reflecting the violations. Mr. Jochum testified the trash belonged to the tenants.

Mr. Messer made a motion to allow the Respondents 30 days to remove the trash from the property, or a fine of \$50 per day would be assessed for each and every day of non-compliance. Mr. Castle seconded the motion and the motion carried.

File: CE2004-0465/Izquierdo

911 Address: 799 and 800 S US 301/Sumterville

Parcel: J13B086/OR – 723, PG - 120

SCCV: 13-701(b)(a & b), 13-701(b)(2)(b), and Table 13-362A-1.121

The Respondent, Eladio Izquierdo, Jr., was present and sworn in. Mr. Jochum testified on behalf of Al Folden, Code Compliance Inspector, the Notice of Hearing had been sent by certified mail. Mr. Jochum testified he had visited the property on 5/9/05. Mr. Jochum submitted photographs into the record taken by himself and Mr. Folden on 9/21/04, 10/25/04, and 5/9/05 reflecting the violations. Mr. Jochum testified some of the photographs showed the farm animals out of the fenced in area. Mr. Izquierdo testified he thought he could have the farm animals on his property, but he is looking for properly zoned property to move them to. Mr. Izquierdo testified his pony and 40 chickens were pets. Mr. Izquierdo requested 60 days to relocate the animals.

Mrs. Barnes made a motion to allow the Respondents 30 days to remove all farm animals from the property, or a fine of \$50 per day would be assessed for each and every day of non-compliance. Mrs. Barnes also included in her motion an automatic \$100 fine if the farm animals returned to the property after being removed. Mr. Messer seconded the motion and the motion carried.

The Board requested Mr. Folden monitor this situation on a regular basis.

File: CE2004-0485/Allen

911 Address: 7398 SW 50th St/Bushnell

Parcel: M22D013/OR – 1144, PG - 111

SCCV: 6-104(1) and 13 – E 312 SHC 307.4

The Respondent, Larry Allen, was present and sworn in. Mr. Jochum testified on behalf of Mr. Folden the Notice of Hearing had been sent by certified mail. Mr. Jochum testified he had visited the property on 5/9/05. Mr. Jochum submitted photographs into the record taken by Mr. Folden on 1/6/05, 2/7/05, 3/1/05, and 3/31/05 reflecting the violations. Mr. Jochum testified approximately 100 tires were being used as a backstop for a pistol range. Mr. Allen testified he had planned on burying the tires, but was informed he could not due to Florida Department of Environmental Protection regulations. Mr. Allen testified he was making progress, but the remaining tires were full of dirt. Mr. Allen requested 60 days to finish removing the tires.

Mrs. Barnes made a motion to allow the Respondent 60 days to remove the tires from the property, or a fine of \$50 per day would begin accruing after the ordered date for compliance. Mr. Messer seconded the motion and the motion carried.

File: CE2005-0102/Engelsman
911 Address: 5691 CR 551/Bushnell
Parcel: N09D088/OR – 742, PG - 211
SCCV: 13-727(a) and Table 13-362A-3.912

The Respondent, Diane Engelsman, and Patrick Hartshorn, were present and sworn in. Mr. Jochum testified the Notice of Hearing had been sent by certified mail and the property was posted on 4/29/05. Mr. Jochum testified his last visit to the property was on 5/9/05. Mr. Jochum submitted photographs into the record taken on 2/1/05 and 5/9/05 reflecting the violations. Mr. Jochum testified he and Mr. Hezlep had spoken with Ms. Engelsman on 3/18/05 regarding the sale of dogs, in which she informed Mr. Jochum she intended to sell her property and move to Citrus County. Mr. Hezlep testified Animal Control had received numerous complaints regarding loose dogs at this residence. Mr. Hezlep testified on 2/1/05 a complaint was filed with Animal Control regarding a wolf at large. Mr. Hezlep testified he had responded to the complaint and confirmed a wolf hybrid running loose and checked for County licenses and rabies vaccinations on all existing dogs and puppies at Ms. Engelsman's residence. Mr. Hezlep testified citations were issued for all dogs/puppies not in compliance. Mr. Hezlep testified Ms. Engelsman had shown a receipt for the sale of a puppy. Mr. Hezlep testified there were approximately 30 dogs/puppies at the residence on that date. Ms. Engelsman testified she was reducing the number of dogs at her residence. Ms. Engelsman testified she has had her dogs for 6 years and she had reduced the number of dogs from 30 to 18. Ms. Engelsman testified how costly her vet bills were and spoke of the houses and fences that were built for the dogs. Mr. Hezlep testified the fences and houses were a requirement due to a court order. Ms. Engelsman testified she had an open space land agreement and needed 90 days to clear the property and build kennels in order to move the dogs there.

Mr. Castle made a motion to allow the Respondent 90 days to remove all dogs from the property, or a fine of \$50 per day would begin accruing after the ordered date for compliance. Mrs. Barnes seconded the motion and the motion carried with Mr. Messer opposing.

Public Forum:

Mr. Barnes and Mr. Castle both agreed to continue serving on the Code Enforcement Board if the Board of County Commissioners agreed to re-appoint them.

There being no further business, Mrs. Barnes made a motion to adjourn. Mr. Messer seconded the motion and the motion carried.

The meeting adjourned at 7:10 PM.

Chairperson

Recording Secretary